

## REMARKS/ARGUMENTS

### Status of the Claims

- Claims 1-4, 6-8, 10-23, and 25-32 are pending in the Application after entry of this amendment.
- Claims 1-4, 6-8, 10-23, and 25-32 are rejected by Examiner.
- Claim 28 is amended by Applicant

### Claim Rejection Pursuant to 35 U.S.C. §112

Claim 28 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite with respect to insufficient antecedent basis for the limitation “said control objects” in line 15. Amended Claim 28 now recites proper antecedent basis for the above mentioned limitation, among others.

### Claim Rejections Pursuant to 35 U.S.C. §103

Claims 1-4, 6-8, 10-23, and 25-32 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,389,466 to Zondag in view of U.S. Patent No. 5,547,860 to Perlman.

Zondag discloses a consumer electronics system including at least one controller station (Zondag, Fig.1, 114, 116) and at least one controlled device (Fig.1, 102, 104, 106, 108, 110, 112) wherein the device may be separated by a main communications network (Fig.1, 120). In Zondag, an abstract representation (AR) provides an interface for software elements in the system to control functionality of the controlled device by means of messages exchanged with the AR via the communications network (Col. 1, lines 5-13). Zondag discloses that a distinction is made between a controller station and a controlled device in that the controller station acts as a host for a controlled device. A controller station hosts the abstract representation (AR) for the controlled device (Zondag, Col 7, lines 24-30.) Thus, only controller stations may contain an AR which is the center of control for the controlled device. The controlled devices themselves do not contain an AR. Applicant believes that the

Examiner equates the ARs of Zendag with the control objects of the present Application in citing the Zondag reference for the 35 USC §103(e) rejection.

Applicants submit that even if the software entities of an AR and a control object could be compared, the topology of the software entities are different between Zondag and the present invention.

Claim 1 of the current Application recites, in relevant part,

1. In a network comprising a plurality of software controllable devices that communicate over said network, said *software controllable devices including an embedded operating system*, a distributed system for controlling said devices, comprising: at least one control object, *said control object* comprising a component object model object *residing in said embedded operating system* and accessible to a respective software controllable device and including logical attributes of said respective device, *said control object accepting and issuing control messages* to and from said respective device, ...

Applicants assert that Zondag does not disclose software controllable devices (controlled devices) that themselves have an embedded operating system containing a control object within the controllable device itself where the control object accepts and issues control messages to and from the controllable device. Zondag has ARs resident only in a controller station which issues commands across a network bus to the controlled devices. The Zondag controlled devices do not contain embedded operating systems or ARs. In contrast, the controllable devices of the present invention do contain embedded operating systems and the control object which is useful for issuing and receiving commands. Applicants assert that independent Claims 15, 20 and 28 of the present Application have similar elements beyond that of Zondag.

Applicants respectfully submit that the Examiner has failed to establish a prima facie case of obviousness because, at minimum, the cited prior art does not teach or suggest all of the claim elements of independent Claims 1, 15, 20 and 28 (See MPEP 706.02 (j)). The cited prior art does not teach or suggest a controllable device, having an embedded operating system which contains a control object as recited in Claims 1, 15, 20 and 28. This deficiency in elements is not cured by the addition of Perlman which discloses a technique for

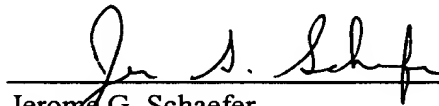
generating, distributing, and maintaining a list of operational nodes in a network using a non-broadcast communication medium. Therefore, the combination of Zondag and Perlman cannot render obvious the claims of the present Application at least because all elements are not present in the references. Consequently, Applicants traverse the 35 U.S.C. §103(a) rejection of the present Office Action.

Additionally, in as much as dependent Claims 2-4, 6-8, 10-14 are ultimately dependent on now-allowable independent Claim 1, and dependent Claims 16-19 are ultimately dependent on now-allowable independent Claim 15, and dependent Claims 21-23 and 25-27 are ultimately dependent on now-allowable independent Claim 20, and dependent Claims 29-32 are ultimately dependent on now-allowable independent Claim 28, such dependent claims are themselves now-allowable because they serve only to further limit the independent claims.

#### **Conclusion**

Applicants respectfully request reconsideration of the subject application in light of the reasons set forth hereinabove, and a Notice of Allowance for all pending claims is earnestly solicited.

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